Approved For Release 2006/03/10 : CIA-RDP62-00631R000400060006-7

SECRET

OGC 9-1322

25 August 1959

MEMORANDUM FOR: Deputy Director (Support)

SUBJECT : Cabinet Paper 59-58/4, Removal of Papers by Retiring Department and Agency Heads

FOIAB5

OGC

1. [redacted] present Regulations adequately cover the overall problem of protecting official records and intelligence materials from unauthorized removal as required by law and as recommended in the Cabinet Paper. Paragraphs 1 and 2 of [redacted] provide as follows:

X1

"1. GENERAL

All information, classified or unclassified, received or compiled by the Central Intelligence Agency is official data and is the property of the U. S. Government. The restrictions and prohibitions provided in this Regulation apply not only to all intelligence information or matter, but also to any statistical, administrative, or general information regardless of the fact that such information already may be a matter of public record. This shall apply also to all official data used or compiled by CIA and obtained from outside sources, public or private. Termination of employment in the Agency will not affect employee responsibility under this Regulation.

"2. POLICY

"a. Official data and information, classified or unclassified, will be limited in use to the performance of CIA official business only, and will not be copied or removed from the files of the Agency for release outside of CIA except by those officials authorized by the Director of Central Intelligence.

"b. The accumulation of copies of documents containing official data, classified or unclassified, for inclusion in a personal file, and the appropriation of such material for personal use or benefit is prohibited. Unclassified employment documents, such as Notifications of Personnel Action, Certificates of Membership in the Retirement System, Time and Attendance Reports and Pay Roll Change Slips, and similar personal official documents are excepted under the provisions of this Regulation."

OGC Has Reviewed

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X1 In addition, [redacted] provides as follows:

"A. General Policy

It is the general policy of the Central Intelligence Agency to disseminate CIA-produced intelligence and intelligence information only to those officials and agencies of the United States Government who have a need for such information in the interest of national security and to a limited number of United States citizens and organizations who have need because of participation in the intelligence activities of the United States Government. Information will not be disseminated which will jeopardize sources or which will compromise the United States Government, the Central Intelligence Agency, or Agency officials."

2. The Agency Records Management Program was established to provide continuing standards, guides and controls for our records. When we prepare Records Control Schedules, it is standard practice to point up personal papers and recommend that they be kept separate from official office files. Our Records Schedules also set time limits on the life of records.

3. There are two items in the Cabinet Paper, which are not covered by our regulations and I suggest you call the Director's attention to these two paragraphs in the attached Cabinet Paper:

"5(i) Department and Agency Heads should, in file-keeping and file-cleaning under their jurisdiction, take steps to have thrown out personal or gossipy material which does not come under the definition of 'Records' on page 3 of the attached Cabinet Paper." (Records are also defined in our [redacted]

"3. ...(the Director may) permit persons outside the Executive branch who are performing functions in connection with historical research projects to have access to classified defense information originated within his agency if he determines that that access would be clearly consistent with the interest of the national defense and that the persons to be granted that access are trustworthy; however, the agency head involved is charged with the responsibility for taking appropriate steps to assure that the classified information involved is not published or otherwise compromised ...."

These two items are purely in the purview of the Director.

4. [redacted] FOIAB5 OGC I will be glad to have one of our Records Management people assist Mr. Dulles at any time there is any doubt in his mind about the reasons he may or may not remove certain papers he considers personal.

Signed

Distribution:
Orig & 1 - Addressee
1 - RMS
1 - C/MgtS
1 - [redacted]

[redacted]
Chief, Management Staff
Mgt/S/RMS [redacted] fjm (25 Aug '59)

25X1
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SENDER WILL CHECK CLASSIFICATION TOP AND BOTTOM

	UNCLASSIFIED		CONFIDENTIAL		SECRET

CENTRAL INTELLIGENCE AGENCY

OFFICIAL ROUTING SLIP

TO	NAME AND ADDRESS	INITIALS	DATE
1	Wig Warner		
2	Mr. [redacted]		
3			
4			
5			
6			

	ACTION		DIRECT REPLY		PREPARE REPLY
	APPROVAL		DISPATCH		RECOMMENDATION
	COMMENT		FILE		RETURN
	CONCURRENCE		INFORMATION		SIGNATURE

Remarks: 28 Aug 58

Per conversation this A.M. have not heard from [redacted] - so am returning to you for forwarding to DD/S, for your suggestion.

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FROM: NAME, ADDRESS AND PHONE NO.	DATE
[redacted]	

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FORM NO. 237 Replaces Form 30-4 which may be used.

1 APR 55

U. S. GOVERNMENT PRINTING OFFICE : 1955—O—342531

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STAT

Approved For Release 2006/03/10 : CIA-RDP62-00631R000400060006-7

Next 1 Page(s) In Document Exempt

Approved For Release 2006/03/10 : CIA-RDP62-00631R000400060006-7

proved For Release 2006/03/10 : CIA-RDP62-00631R0004

TRANSMITTAL SLIP	DATE
TO: Mr Jack Warner	
ROOM NO.	BUILDING

REMARKS:

Per telecon

JH 2-6

FROM:	
ROOM NO.	EXTENSION

FORM NO. 241 REPLACES FORM 36-8 FEB 55 241 WHICH MAY BE USED.

proved For Release 2006/03/10 : CIA-RDP62-00631R0004

Approved For Release 2006/03/10 : CIA-RDP62-00631R000400060006-7

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CENTRAL INTELLIGENCE AGENCY

OFFICIAL ROUTING SLIP

TO	NAME AND ADDRESS	INITIALS	DATE
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	ACTION		DIRECT REPLY		PREPARE REPLY
	APPROVAL		DISPATCH		RECOMMENDATION
	COMMENT		FILE		RETURN
	CONCURRENCE		INFORMATION		SIGNATURE

Remarks:

[redacted] worked with [redacted] and agrees with the substance of the attached as I do. I gathered from your earlier comments that you wished to send something to the Director. [redacted] made this point to [redacted] but not having heard further on this, I thought it best to send it on.

(2)

John S. Warner

(mke)

FOLD HERE TO RETURN TO SENDER

FROM: NAME, ADDRESS AND PHONE NO.	DATE
Office of General Counsel - 221 East	9 Sept 59

UNCLASSIFIED CONFIDENTIAL SECRET

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FORM NO. 237 Replaces Form 30-4 which may be used. (40)
1 APR 55
U.S. GOVERNMENT PRINTING OFFICE : 1955— O-342531

OGC 60-1607

Approved For Release 2006/03/10 : CIA-RDP62-00631R000400060006-7

USIB-D-39.4/1
25 August 1959
Final - USIB Approved

UNITED STATES INTELLIGENCE BOARD

Policy Statement on Disclosure and Reproduction of Intelligence Originated in Another USIB Agency

1. Attached is a revision of the "Policy Statement on Disclosure and Reproduction of Intelligence Originated in Another USIB Agency," which incorporates the amendments proposed by the Committee on Documentation and circulated previously as USIB-D-39.4/1, 13 August.

2. Since no Intelligence Board member objected or requested a Board discussion of this proposed revision, we consider that the Board has concurred in this revised statement. Accordingly, the attached paper should be regarded as a USIB-approved statement, superseding IAC-D-95/5, 8 October 1957 (circulated as an attachment to IAC-D-95/6, 23 October 1957), and effective as of the date of this memorandum.

25X1

[redacted]
Executive Secretary

Attachment

Approved For Release 2006/03/10 : CIA-RDP62-00631R000400060006-7

Approved For Release 2006/03/10 : CIA-RDP62-00631R000400060006-7

USIB-D-39.4/1
25 August 1959
Final - USIB Approved

Policy Statement on Disclosure and Reproduction of Intelligence Originated in Another USIB Agency

In order for the member agencies and their analysts to discharge their responsibilities more effectively, and without intent to limit such broader authority or responsibility as any may now have under law or NSC directive, the United States Intelligence Board is agreed:

a. That each member agency, for purpose of central processing, may reproduce for itself, foreign intelligence and intelligence information originally issued by another.

b. That such reproduction may be performed for another member agency, and such information disclosed by the properly accredited analysts of a USIB agency to those of another engaged in the production of national intelligence if the intelligence or information was originally given general distribution to all USIB member agencies, or was otherwise generally available to them.

c. That intelligence or information which by reason of sensitivity bears special classifications or is for limited distribution, or which bears a special warning prohibiting reproduction or disclosure, shall not be so reproduced or disclosed.

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Mr. J. Walter Yeagley
Chairman
Interdepartmental Committee
on Internal Security
Room 3529, Dept. of Justice Bldg.
Washington 25, D. C.

11 AUG 1950

Dear Mr. Yeagley:

Reference is made to your letter of 15 April 1959, file number ICIS-P 17/419. The following paragraphs correspond to the numbered inquiries of this letter.

1. The requirements governing the disclosure of U. S. classified defense information to foreign nations and their representatives have not given rise to any problems for the Central Intelligence Agency.

2. CIA releasing officers are in each instance in possession of the requisite information because our pertinent regulations are designed to ensure this result and because the acquisition of such information is a continuing responsibility of this Agency. By regulation, liaison relationships with foreign intelligence and security services may not be instituted by CIA without prior Headquarters approval. This approval, in turn, is contingent upon the possession of all information necessary to a determination that the prescribed conditions will be satisfied. After liaison is established and exchange or release is planned or begun, the CIA representatives involved are continuously advised about all available counterintelligence about the service or services with which they are dealing. The timely acquisition of such counterintelligence is a continuing and major responsibility of CIA.

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3. Because CIA deals directly with professional foreign intelligence and security services, no difficulties have been encountered in reaching agreements governing comparable protection, acceptance of the no-third-service restriction, and other principles cited. Therefore, it has not been necessary to exercise any waiver because of the absence of such agreements, although adjustments within the spirit of the Presidential Directive have been made in specific instances to meet special conditions. Agreements are obtained generally and orally.

4. The fact that foreigners engaged in liaison with CIA are representatives of foreign intelligence and security services means that they have been entrusted by their governments with sensitive posts and have satisfied the security requirements of their governments. Formal security assurances concerning liaison officials are not required by CIA from their host services. It is our conviction that the interests of security are better served by the security reviews which CIA conducts on all original recipients and their superiors. Consequently the requirements of (b) are not waived in any instance. In this regard, it should be noted that the security review is continuous, not sporadic. In addition, classified defense information is not released to all foreign liaison services. The decision to release has long been based upon a strict interpretation of net advantage and the other considerations cited in the Presidential Directive.

5. The security of all proposed original recipients is carefully assessed by CIA. If a proposed recipient is disqualified by significant derogatory information, CIA takes prior action to ensure the removal of the proposed recipient from liaison contact, his removal from his sponsoring service, or withholding by CIA of classified defense information from the service as a whole.

6. Several CIA regulations currently govern the release of any classified information to foreign recipients within the broader contexts of liaison, security, approvals of operational activities conducted jointly with liaison services, classifications and controls, reports, and dissemination. These antedate the Presidential

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Directive. A revised regulation which combines these elements as they are effected by the Presidential Directive is nearing final form. It will formalize existing procedures for releasing classified information to foreign nationals and recording the releases, will stipulate all necessary coordination, and will ensure that waivers, if any, are granted only by the competent authority and in compliance with the Directive. The Directive has not in any way impaired the advantageous disclosure of classified defense information by CIA to the services of foreign governments.

7. It is not possible to estimate quantitatively or by security classifications the information passed orally by CIA representatives to liaison officials in the course of day-to-day operational liaison. It is estimated that written releases of Top Secret classified defense information are not statistically significant, that approximately seventy-five per cent are classified Secret, and that approximately twenty-five per cent are classified Confidential. This estimate does not include national or interdepartmental intelligence which is released by [redacted] and merely passed through CIA channels to foreign recipients, or to certain categories of highly classified intelligence, the release and handling of which are covered by highly restrictive agreements and controls.

Sincerely,

SIGNED

C. P. Cabell
General, USAF
Deputy Director

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Approved For Release 2006/03/10 : CIA-RDP62-00631R000400060006-7

Letter from DCI to Mr. J. Walter Yeagley, Chairman, Interdepartmental Committee on Internal Security dated _____.

SIGNATURE RECOMMENDED:

_____ _____
Chief, Counter Intelligence Staff Date

_____ _____
Chief, Foreign Intelligence Staff Date

(Signed) Richard Helms 27 JUL 1959
_____ _____
Chief of operations, DD/P Date

SIGNED 24 JUL 1959
_____ _____
Deputy Director, Office of Security Date

_____ _____
Deputy Director, Intelligence Date

S/ Lawrence R. Houston 24 JUL 1959
_____ _____
General Counsel Date

X1 DDP/[redacted]mah (15 Jul 59)
(Rewritten 23 Jul 59 by CI Staff to incorporate changes suggested by DD/I and General Counsel)

X1 Op[redacted] Ltr for Dci signature

Distribution:
Orig & 1 - Addressee
2 - DCI w/basic DTR
1 - DDCI
X1 1 - Asst to DCI [redacted]
1 - General Counsel
X1 1 - DD/I [redacted]
1 - DD/P
2 - DDP/COPS
1 - OS
1 - FI
1 - CC
2 - CI/[redacted]

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31 July 1959

PA
[redacted] OGC

Department of History
Duke University
Durham, North Carolina

PA
Dear [redacted] OGC

My initial reaction, as stated in my earlier letter, has been supported; therefore, we see no reason to object to the wording of your sketch on [redacted] STAT

I was interested to read your material as I know of STAT [redacted] and had met him once, but there is, of course, nothing in official files which describes him as you have.

Thank you again for sending the material to us to review.

Very truly yours,

Lawrence R. Houston
General Counsel

OGC:LRH:jeb
cc: OGC chrono-no circ
subject-Security 3

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Approved For Release 2000/08/21 : CIA-RDP78-04007A000400060006-7

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CENTRAL INTELLIGENCE AGENCY

OFFICIAL ROUTING SLIP

TO	NAME AND ADDRESS	INITIALS	DATE
1	Mr. Lawrence Houston, OGC		
2	221 East		
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	ACTION		DIRECT REPLY		PREPARE REPLY
	APPROVAL		DISPATCH		RECOMMENDATION
	COMMENT		FILE		RETURN
	CONCURRENCE		INFORMATION		SIGNATURE

Remarks:

Larry:

I've check this out a bit and there seems to be no problem from a security point of view. It has been suggested, and I agree, that Mr. [redacted] be advised that we neither confirm nor deny the factual data contained in the article. You may want to word it differently.

PA

OGC

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FROM: NAME, ADDRESS AND PHONE NO.	DATE
[redacted] C/FI/SG	7/28/59

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FORM NO. 237 1 APR 55 Replaces Form 30-4 which may be used. (40)

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CENTRAL INTELLIGENCE AGENCY

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	APPROVAL		DISPATCH		RECOMMENDATION
	COMMENT		FILE		RETURN
	CONCURRENCE		INFORMATION		SIGNATURE

Remarks:

Bob: I can't see any real problem here and would appreciate it if you would advise me whether I can tell [redacted] he can publish this as written.

PA

OGC

LRH

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FROM: NAME, ADDRESS AND PHONE NO.	DATE
General Counsel 221 East	7/22/59
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Approved For Release 2006/03/10 : CIA-RDP62-00631R000400060006-7

22 July 1959

PA
[redacted]
OGC
Department of History
Duke University
Durham, North Carolina

Dear PA [redacted] OGC

Thank you for submitting the Office of Strategic Services part of your sketch of [redacted] My offhand reaction is there is no objection to your proposed wording, but to make sure I am having it checked and will let you know as soon as possible.

STAT

Very truly yours,

s/ Lawrence R. Houston

Lawrence R. Houston
General Counsel

cc: SSU-[redacted]
AD/NE

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ILLEGIB

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OFFICIAL ROUTING SLIP

TO	NAME AND ADDRESS	INITIALS	DATE
1	AD/NE 107 Admin		
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	ACTION		DIRECT REPLY		PREPARE REPLY
	APPROVAL		DISPATCH		RECOMMENDATION
	COMMENT		FILE		RETURN
	CONCURRENCE		INFORMATION		SIGNATURE

Remarks:

The attached letter and its enclosure were submitted for our views as to whether there is any objection to the material on classified grounds. I don't think the mention of Soviet intentions and capabilities is anything to get upset about. I thought you might be interested in seeing it and I would appreciate your comments.

LRH

ok from Lenk 7/23

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General Counsel 221 East	**7/22/59**

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CENTRAL INTELLIGENCE AGENCY

OFFICIAL ROUTING SLIP

TO	NAME AND ADDRESS	INITIALS	DATE
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	ACTION		DIRECT REPLY		PREPARE REPLY
	APPROVAL		DISPATCH		RECOMMENDATION
	COMMENT		FILE		RETURN
	CONCURRENCE		INFORMATION		SIGNATURE

Remarks:

Bob: I can't see any real problem here and would appreciate it if you would advise me whether I can tell [redacted] he can publish this as written.

PA

OGC

LRH

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General Counsel 221 East	7/22/59

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